

Regular Session, 2010

HOUSE BILL NO. 715

BY REPRESENTATIVE GUINN

DISTRICTS/SPECIAL: Provides relative to a flyway byway district in Jefferson Davis Parish

1 AN ACT

2 To enact R.S. 33:4581, relative to the creation of the Flyway Byway District in Jefferson
3 Davis Parish; to provide for the purpose of the district; to provide the boundaries of
4 the district; to provide for the governance and organization of the district; to provide
5 the powers of the district; to provide for cooperation with state agencies and
6 departments; and to provide for related matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article III, Section 13 of the Constitution of
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:4581 is hereby enacted to read as follows:

12 §4581. Jefferson Davis Parish Flyway Byway District

13 A. Creation. There is hereby created the Flyway Byway District in Jefferson
14 Davis Parish, referred to in this Section as the "district", which shall be a body politic
15 and corporate and a political subdivision of the state of Louisiana.

16 B. Boundaries. The district shall lie within the following perimeter: bounded
17 on the west by the Calcasieu-Jefferson Davis Parish line, bounded on the south by
18 the Cameron Parish line, bounded on the east by the western edge of Louisiana
19 Highway 26, and bounded on the north by the southern edge of United States
20 Interstate 10.

1 C. Purpose. The purpose of the Flyway Byway District is to stimulate
2 economic development and tourism within the district.

3 D. Governance. (1) The Flyway Byway District shall be governed by a
4 board of commissioners, referred to in this Section as the "board". The board shall
5 be composed as follows:

6 (a) Two members appointed by the governing authority of Jefferson Davis
7 Parish.

8 (b) Two members appointed by the Jefferson Davis Parish Tourist
9 Commission.

10 (c) One member appointed by the governing authority of the town of Welsh.

11 (d) One member appointed by the Jefferson Davis Parish Economic
12 Development Commission.

13 (e) One member appointed by the Jefferson Davis and Cameron Parish
14 legislative delegation.

15 (f) The secretary of the Department of Transportation and Development, or
16 his designee, and the secretary of the Department of Culture, Recreation and
17 Tourism, or his designee, neither of whom shall be voting members nor count
18 towards the presence of a quorum for the conduct of business.

19 (2) The members of the board of commissioners shall serve four-year terms.
20 Members shall serve until their successors have been appointed and qualified.

21 (3) A vacancy on the board shall be filled in the same manner as the original
22 appointment.

23 (4) Members shall be eligible for reappointment.

24 E. Organization. (1) All members of the board shall serve without
25 compensation but may receive reimbursement for expenses directly related to the
26 governance of the district.

27 (2) The domicile of the board shall be in the town of Jennings in Jefferson
28 Davis Parish.

1 (3) The board is authorized to adopt bylaws for its governance and conduct
2 and shall elect from its own membership a chairman and a vice chairman.

3 (4) The board shall hold regular meetings as provided for in its bylaws and
4 may hold special meetings at such times and places within the district as provided
5 in the bylaws.

6 (5) The board shall keep minutes of all meetings.

7 (6) A majority of the voting members of the board shall constitute a quorum
8 for conducting business.

9 F. Powers and duties of the district. The district, through the board of
10 commissioners, shall have all the rights, powers, privileges, and immunities granted
11 to political subdivisions, including but not limited to the following:

12 (1) To sue and be sued.

13 (2) To adopt, use, and alter at will a corporate seal.

14 (3) To receive contributions, donations, grants, and appropriations of money
15 or other things of value from any public or private source.

16 (4) To enter into cooperative endeavors by written agreement with the state
17 or with any other public or private entity.

18 (5) To employ such persons and to enter into such contracts for services as
19 it deems advisable.

20 (6) To develop and implement a plan for the preservation, beautification, and
21 promotion of scenic routes and the natural, historic, and cultural sites and attractions
22 of such routes with the assistance of the Department of Transportation and
23 Development, the Department of Culture, Recreation and Tourism, and the
24 Department of Wildlife and Fisheries.

25 (7) To acquire servitudes adjacent to scenic routes for the preservation of the
26 natural beauty of the area, but such authority shall not include the acquisition of
27 rights-of-way for the construction of any scenic highway.

28 (8) To adopt rules and regulations providing for the utilization and
29 administration of the servitudes herein authorized to be acquired.

- 1 G. Cooperation with state entities. State departments and agencies,
2 particularly the Department of Transportation and Development, the Department of
3 Culture, Recreation and Tourism, and the Department of Wildlife and Fisheries, are
4 authorized to provide such advice and services to the board of commissioners as will
5 help achieve the purpose of this Section.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Guinn

HB No. 715

Abstract: Creates the Flyway Byway District in Jefferson Davis Parish.

Proposed law creates the Flyway Byway District in Jefferson Davis Parish to stimulate economic development and tourism within the district boundaries.

Proposed law provides the boundaries of the district.

Proposed law provides for the governance of the district by a board of commissioners, appointed as follows:

- (1) Two members appointed by the Jefferson Davis Parish Police Jury.
- (2) Two members appointed by the Jefferson Davis Parish Tourist Commission.
- (3) One member appointed by the governing authority of the town of Welsh.
- (4) One member appointed by the Jefferson Davis Parish Economic Development Commission.
- (5) One member appointed by the Jefferson Davis and Cameron Parish legislative delegation.
- (6) The secretary of the Dept. of Transportation and Development, or his designee, and the secretary of the Dept. of Culture, Recreation and Tourism, or his designee, shall serve on the board but neither shall be a voting member or count toward the presence of a quorum.

Proposed law provides that members shall serve four-year terms and further provides that any vacancy shall be filled in the same manner as the original appointment. Members shall be eligible for reappointment.

Proposed law provides that members shall serve without compensation but may receive reimbursement for expenses directly related to the governance of the district. Provides that the domicile of the board shall be in Jefferson Davis Parish.

Proposed law further provides that the board is authorized to adopt bylaws for its governance and that a majority of the board shall constitute a quorum for the conduct of business.

Proposed law provides the powers and duties of the district, which include: the power to receive contributions, grants, donations, or appropriations of money; the power to enter into cooperative endeavor agreements; the power to hire employees; the power to contract; and the power to acquire servitudes within the district for the preservation of the natural beauty of the area.

Proposed law further provides that state departments and agencies are authorized to provide advice and services to the district.

(Adds R.S. 33:4581)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill.

1. Added the secretary of Dept. of Culture, Recreation and Tourism, or his designee, to the board as an ex officio member.
2. Changed the western boundary of the district.